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Graves Garrett LLC

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April 20, 2021

Hon. Lewis J. Liman
United States Courthouse
Courtroom 17A
500 Pearl Street
New York, New York 10007

    Re: **Eastern Profit Corp. Ltd. v. Strategic Vision US, LLC, Case No. 18-cv-2185 (LJL)-DCF/Strategic Vision's Motion to Strike PX-71 and PX-67**

Dear Judge Liman:

Strategic Vision moves to strike PX-71 (Elliot Broidy Guilty Plea - United States v. Elliott Broidy, CR No.1:20-cr-00210). It was introduced during Eastern's redirect of Dr. Michael Waller.

First, the statements to which Mr. Broidy assented are hearsay offered for their truth. Fed. R. Evid. 801-02. Mr. Broidy is not here to explain the full circumstances and context.

Second, the issue is Strategic's knowledge and funding decision—not a mini-trial of the Broidy matter. Dr. Waller had not previously read the document; it came into existence only in October 2020 as the parties were preparing for trial. That was long after Strategic's decision to accept funding. It cannot be relevant on the question of Strategic's knowledge or decision.

Third, the plea pertained to FARA reporting violations that occurred in the summer of 2017, and did not establish that even at that time there was any lobbying on behalf of—let alone membership, association, or affiliation with—the CCP. The current funder was not involved until two years later, in June 2019. *See* Dkt. 108, June 26, 2019 (the undersigned's entry).

PX-71 is hearsay, irrelevant, and would be the first step into a mini-trial on a collateral issue that neither party is in a position to try. The Court now has a complete picture of Strategic's knowledge, due diligence, and decision on the funding issue. PX-71 should be stricken.

Similarly, Strategic moves to strike PX-67 and incorporates herein Strategic's letter motion, Dkt. 343.

           Respectfully submitted,

           Edward D. Greim
           Attorney for Defendant/Counterclaimant

    cc: Counsel of record via ECF